

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

_____	)	
G. KENT PLUNKETT,	)	
Plaintiff,	)	
	)	
vs.	)	CIVIL ACTION NO.: 04 CV 10765 NG
	)	
VALHALLA INVESTMENT	)	
SERVICES, INC., et al.	)	
Defendants.	)	
_____	)	

**PLAINTIFF G. KENT PLUNKETT'S MOTION TO COMPEL  
DOCUMENTS AND INTERROGATORY ANSWERS FROM DEFENDANTS  
VALHALLA INVESTMENT SERVICES, INC. AND ERIC T. HOUSE**

Pursuant to Fed. R. Civ. P. 37 and L.R. 37.1, plaintiff G. Kent Plunkett ("Plaintiff" or "Plunkett") respectfully requests this Court to order defendants Valhalla Investment Services, Inc. ("Valhalla") and Eric T. House ("House") (collectively, "Defendants") to provide more complete and adequate responses to interrogatories and document requests. Specifically, Plunkett seeks an order compelling Defendants to produce all documents and tangible things in their possession, custody or control responsive to Request Nos. 14, 15, 16, 17, 18, 19, 21, 25, and 26 of Plaintiff's First Request for Production of Documents ("Plunkett's First Requests"), which Plunkett served on Defendants on February 23, 2005, and Request Nos. 1, 4, 7, 8, 10 and 11 of Plaintiff's Second Request for Production of Documents ("Plunkett's Second Requests"), which Plunkett served on Defendants on June 30, 2005. Plunkett also seeks an order compelling Defendants to respond more fully to Interrogatory No. 7 of Plaintiff's First Set of Interrogatories ("Plunkett's First Interrogatories"), which Plunkett served on

Defendants on February 23, 2005, and Interrogatory Nos. 1 and 4 of Plaintiff's Second Set of Interrogatories ("Plunkett's Second Interrogatories"), which Plunkett served on Defendants on August 8, 2005.

As explained in the attached memorandum of law, all of the discovery that Plunkett seeks to compel, whether in the form of additional documents or more complete interrogatory answers, falls within three general substantive categories: (1) trading, tax and accounting records for Plunkett and Valhalla; (2) trading records and strategies related to Valhalla's other clients; and (3) complaints from other Valhalla investors. As also explained in the attached memorandum of law, all of this discovery is relevant to Plunkett's claims against the Defendants for breach of fiduciary duty, violations of Section 10(b) of the Exchange Act, and violations of G.L. c. 110A. For this reason, and for the reasons more fully set out in the attached memorandum, Plunkett requests this Court to grant his motion and order the Defendants to produce additional discovery.

Respectfully submitted,

G. KENT PLUNKETT

By his attorneys,

/s/ H. Joseph Hameline  
H. Joseph Hameline, BBO #218710  
Samuel F. Davenport, BBO #636958  
MINTZ, LEVIN, COHN, FERRIS,  
GLOVSKY AND POPEO, P.C.  
One Financial Center  
Boston, MA 02111  
Tel. (617) 542-6000

Dated: October 27, 2005

**CERTIFICATION OF COMPLIANCE WITH LOCAL RULES 7.1 AND 37.1**

I, H. Joseph Hameline, hereby certify that on September 19, 2005, counsel for both parties conferred and attempted in good faith to resolve or narrow the discovery issues addressed in this motion to the greatest extent possible.

/s/ H. Joseph Hameline  
H. Joseph Hameline

**CERTIFICATE OF SERVICE**

I, H. Joseph Hameline, hereby certify that on October 27, 2005, I served true and accurate copies of the foregoing documents electronically or by U.S. Mail on:

Brian Voke, Esquire  
CAMPBELL, CAMPBELL,  
EDWARDS & CONROY, P.C.  
One Constitution Plaza, 3<sup>rd</sup> Floor  
Boston, MA 02119

Vincent P. Antaki, Esquire  
REMINER & REMINGER CO., L.P.A.  
7 West 7<sup>th</sup> Street, Suite 1990  
Cincinnati, OH 45202

/s/ H. Joseph Hameline  
H. Joseph Hameline

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